

1 IN THE UNITED STATES DISTRICT COURT FOR THE  
 2 NORTHERN DISTRICT OF OKLAHOMA  
 3  
 4

5 W. A. DREW EDMONDSON, in his )  
 6 capacity as ATTORNEY GENERAL )  
 7 OF THE STATE OF OKLAHOMA and )  
 8 OKLAHOMA SECRETARY OF THE )  
 9 ENVIRONMENT C. MILES TOLBERT, )  
 10 in his capacity as the )  
 11 TRUSTEE FOR NATURAL RESOURCES )  
 12 FOR THE STATE OF OKLAHOMA, )

13 Plaintiff, )  
 14 )

15 vs. )

16 4:05-CV-00329-TCK-SAJ  
 17 )

18 TYSON FOODS, INC., et al, )  
 19 )

20 Defendants. )  
 21 )

22 - - - - -  
 23 THE VIDEOTAPED 30(b)(6)  
 24 DEPOSITION OF BENNY McCLURE, produced as a  
 25 witness on behalf of the Plaintiff in the above  
 styled and numbered cause, taken on the 15th day of  
 August, 2007, in the City of Fayetteville, County of  
 Washington, State of Arkansas, before me, Lisa A.  
 Steinmeyer, a Certified Shorthand Reporter, duly  
 certified under and by virtue of the laws of the  
 State of Oklahoma.

**TULSA FREELANCE REPORTERS**  
**918-587-2878**

**EXHIBIT**

6

1 into that contract with George's.

2 Q That's the grower's choice whether they even  
3 want to enter into a contract; correct?

4 A That's correct.

5 Q But the actual terms of that contract, the 01:33PM  
6 conditions under which they will perform, the grower  
7 does not negotiate those terms with George's; is  
8 that correct?

9 MR. GRAVES: Object to the form.

10 A That is correct. 01:33PM

11 Q Is it correct then that George's supplies and  
12 delivers the birds to its growers at no cost?

13 A That is correct.

14 Q And George's owns the birds or retains title  
15 to the birds throughout their life? 01:33PM

16 A That is correct.

17 Q Does George's own any of the dead birds in any  
18 situation with its growers?

19 MR. GRAVES: Object to the form of the  
20 question. 01:34PM

21 A As part of the contract, the grower takes the  
22 responsibility for disposing of those dead according

23 to all local, state and federal rules and  
24 regulations.

25 Q All right. So their job is just to get rid of 01:34PM

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